

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California, Department of Transportation, for an order authorizing the Department to: widen the existing crossing at separated grades known as "Sanguinetti Road Overhead" and to construct a new crossing at separated grade known as "Sanguinetti Road off ramp Overhead" located in the City of Sonora, Tuolumne County, State of California.

Application 01-03-047
(Filed March 28, 2001)

O P I N I O N**Summary**

The Department of Transportation, State of California (Caltrans) in connection with the East Sonora Bypass Project requests approval to widen an existing crossing at a separated grade known as Sanguinetti Road Overhead, and to construct a new, adjoining, separated grade crossing to be known as Sanguinetti Road Overhead Off-ramp in the City of Sonora, Tuolumne County. These crossings will be over the single track and right-of-way of the Sierra Railroad Company (SERA). The Sanguinetti Road Overhead crossing has Public Utilities Commission (PUC) Crossing No. 39-46.40-A, and is located between PUC Crossing Nos. 39-46.30 and 39-46.70. The new Sanguinetti Overhead Off-ramp crossing will have PUC Crossing No. 39-46.41-A. A map of the project vicinity is set forth in Appendix A.

Discussion

The proposed project will widen the existing crossing at Sanguinetti Road Overhead, and construct a new, adjoining Sanguinetti Overhead Off-ramp crossing that will provide access to Sanguinetti Road and existing State Route (SR) 108. This project is part of the East Sonora Bypass Project that involves building a new, bypass freeway designed to reduce traffic congestion in the outskirts of the City of Sonora on existing SR 108. The East Sonora Bypass Project will ultimately provide approximately five miles of four-lane freeway that will have its western terminus at the existing Sanguinetti Road Overhead, and its eastern terminus, west of Soulsbyville Road at the existing four-lane expressway of State Route 108 in the outskirts of Sonora.

The Sanguinetti Road Overhead is a two span bridge that is 166 feet long and will provide a traveled way width of 65.19 feet after it is widened. The estimated average daily traffic (ADT) on the existing Overhead at the time of completion is 20,300, and in the year 2025, the estimated ADT is 30,300. The new, Sanguinetti Road Overhead Off-ramp will be a two span bridge, 169.56 feet long and will provide a traveled way width of 23.62 feet. The estimated ADT for the Off-ramp at the time of completion is 5,500, and in the year 2025, the estimated ADT is 9,300. This proposed project will not require the installation of special sign signals or other warning devices during construction.

Caltrans is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resources Code 21000 et. seq. A project summary to the Final Environmental Impact Statement/Report (EIR) for the East Sonora Bypass was filed and approved by Caltrans on July 10, 1997. Caltrans's EIR found that the overall East Sonora

Bypass Project would have significant impacts on the environment; therefore, the adoption of mitigation measures was made a condition of Project approval.

The Commission is a responsible agency for this project under CEQA. CEQA requires that the Commission consider the environmental consequences of a project that is subject to its discretionary approval. In particular, to comply with CEQA, a responsible agency must consider the lead agency's EIR or Negative Declaration prior to acting upon or approving the project (CEQA Guideline Section 15050(b)). The specific activities, which must be conducted by a responsible agency, are contained in CEQA Guideline Section 15096.

The Commission has reviewed Caltrans's EIR for this project. Safety and security, and traffic (transportation) and noise are within the scope of the Commission's permitting process. The EIR for this project did not identify any potential impacts related to the safety and security of the project area.

In Caltrans's EIR, it is noted that noise impacts will not affect any extensive residential areas, and by 2020, when full build-out of the East Sonora Bypass Project is attained, only a scattered number of rural residences will be affected. With respect to transportation impacts, the EIR notes that local streets affected by the East Sonora Bypass Project will be widened and signalized near interchanges to accommodate additional traffic. The Commission finds that Caltrans's EIR has adopted feasible mitigation measures to either eliminate or substantially lessen noise and transportation impacts. We adopt the mitigation measures as described in the referenced EIR for purposes of our approval.

The Commission's Consumer Protection and Safety Division (CPSD), Rail Crossings Engineering Section staff inspected the site of the proposed project. After reviewing the need for and safety of the proposed crossing, the staff

recommends that the requested authority sought by Caltrans be granted for a period of three years.

Application 01-03-047 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a railroad.

In Resolution ALJ 176-3061 dated April 19, 2001, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's CPSD recommends that this application be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3061.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Public Utilities Code Section 311(g)(2), the otherwise applicable 30-day period for public review and comments is being waived.

Findings of Fact

1. Notice of the application was published in the Commission Daily Calendar on April 6, 2001. No protests have been filed.
2. Caltrans requests authority, under Public Utilities Code Sections 1201-1205, to widen the existing Sanguinetti Road Overhead, and to construct a new, adjoining Sanguinetti Road Overhead Off-ramp over the track and right-of-way of the SERA in the City of Sonora, Tuolumne County. These crossings will have PUC Crossing Nos. 39-46.40-A and 39-46.41-A for the Overhead and the Overhead Off-ramp, respectively.

3. Public convenience, safety and necessity require the widening of the Sanguinetti Road Overhead, and the construction of the new, adjoining Sanguinetti Road Overhead Off-ramp.

4. Caltrans is the lead agency for this project under CEQA, as amended.

5. The Commission is a responsible agency for this project, and has reviewed and considered the environmental documents prepared by Caltrans.

6. On July 10, 1997, Caltrans filed and approved the Final EIR of the East Sonora Bypass Project (of which this decision's proposed project is a part).

7. Safety and security, and transportation and noise are within the scope of the Commission's permitting process.

8. Caltrans's EIR did not identify any potential environmental impacts from the project related to safety or security.

9. The Commission finds that for impacts related to transportation and noise, Caltrans adopted feasible mitigation measures to either eliminate or substantially lessen those impacts. We adopt the mitigation measures required by Caltrans's EIR for purposes of our approval.

Conclusions of Law

1. The application is uncontested and a public hearing is not necessary.
2. The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The Department of Transportation, State of California (Caltrans) is authorized to widen Sanguinetti Road Overhead, and to construct the new, adjoining Sanguinetti Road Overhead Off-ramp over the single track and right-of-way of the Sierra Railroad Company (SERA) in the City of Sonora, Tuolumne

County. The Sanguinetti Road Overhead crossing will continue to be identified as Public Utilities Commission (PUC) Crossing No. 39-46.40-A. The new Sanguinetti Road Overhead Off-ramp crossing will be identified as PUC Crossing No. 39-46.41-A.

2. Clearances shall be in accordance with General Order (GO) 26-D; except during the period of construction, a vertical clearance of not less than 21 feet above top of rail shall be authorized. The SERA shall be authorized to operate with such reduced overhead clearance provided that instructions issued by SERA are filed with the Commission's Consumer Protection and Safety Division (CPSD) limiting the height of loads beneath the structure.

3. Caltrans shall notify CPSD and SERA at least 15, but not more than 30, days in advance of the date when the temporary impaired clearance will be created.

4. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

5. Construction and maintenance costs shall be borne in accordance with an agreement that has been entered into between the parties. A copy of the agreement shall be filed by Caltrans with CPSD prior to construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

6. Prior to construction, Caltrans shall file with CPSD final construction plans, approved by SERA.

7. Caltrans will inform the Rail Crossings Engineering Section of CPSD in writing within 30 days of the date of completion of this project.

8. This authorization shall expire if not exercised within three years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

9. This application is granted as set forth above.

10. Application 01-03-047 is closed.

This order becomes effective 30 days from today.

Dated _____, at San Francisco, California.

APPENDIX A

MAP



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MAP